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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,947	11/08/2000	Mark E. Simcik	770-009619-U	7983
2512	7590	04/11/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			DIXON, THOMAS A	
			ART UNIT	PAPER NUMBER
			3639	

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/674,947

**Applicant(s)**

SIMCIK ET AL.

**Examiner**

Thomas A. Dixon

**Art Unit**

3639

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6, 16-28 and 38-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 16-28, 38-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The Amendment of 1/11/2006 cancels the rejected claims leaving only previously allowed claims. A final review of the claims necessitated the rejections below.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 16, 24 and 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the preambles contain the phrases "to dispense postage," "for generating postage indicia," but this is not accomplished by the body of the claims.

#### ***Claim Rejections - 35 USC § 102***

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-6, 16-17, 19-21, 23-28, 38-39, 41-43 are rejected under 35 U.S.C. 102(a) as being anticipated by Wright et al (4,802,218).

As per Claim 1.

Wright et al ('218) discloses:

a memory for storing accounting data concerning postage dispensation, the accounting data varying with the transactions, see figure 4 and column 3, lines 15-59 and column 6, lines 30-39;

a plurality of processors, each processor being associated with a different subset of the transactions, each processor verifying the accounting data for at least the transactions in the subset associated with the processor, see column 6, lines 30-63 and figure 7.

As per Claim 2, 25.

Wright et al ('218) further discloses accounting data includes an amount of a fund available for the postage dispensation, see column 7, lines 52-55.

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As per Claim 3, 26.

Wright et al ('218) further discloses the accounting data includes a cumulative amount of postage dispensation, see column 7, lines 52-55 and column 10, lines 18-21.

As per Claim 4, 19, 27, 41.

Wright et al ('218) further discloses the accounting data includes indices for identifying the transactions, see column 8, line 55.

As per Claim 5.

Wright et al ('218) further discloses the memory includes a non-volatile memory, see column 6, lines 11-18.

As per Claim 6, 28.

Wright et al ('218) further discloses each processor also stores records concerning the transactions in the subset associated with the processor, see column 8, line 55.

As per Claim 16.

Wright et al ('218) discloses:

an interface for receiving a postage value for each transaction of the sequence, see column 8, lines 8-13 and column 9, lines 30-32;

a first processor for generating an ensemble of information for each transaction containing data derived from at least the postage value for each transaction, see column 9, lines 25-42;

a plurality of second processors, see column 7, lines 33-51 and figure 7;

a mechanism for providing each ensemble to a selected one of the second processors, the selected second processor generating at least one of the data elements of a postage indicium from the ensemble, see column 10, lines 2-58.

As per Claim 17, 38.

Wright et al ('218) further discloses the data is also derived from postage values in selected transactions prior to the transaction, see column 10, lines 2-21.

As per Claim 20, 42.

Wright et al ('218) further discloses the ensemble of information also contains second data concerning an increased amount of a fund available for postage dispensation, see column 10, lines 18-21 and column 5, lines 10-14.

As per Claim 21, 43.

Wright et al ('218) further discloses the at least one of the data elements includes a code for authenticating the postage indicium, see column 4, lines 51-59.

As per Claim 24.

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Wright et al ('218) discloses:

storing accounting data concerning postage dispensation, the accounting data varying with the transactions, see figure 4 and column 3, lines 15-59 and column 6, lines 30-39;

verifying by each processor the accounting data for at least the transactions in the subset associated with the processor, see column 6, lines 30-63 and figure 7.

As per Claim 38.

Wright et al ('218) discloses:

receiving a postage value for each transaction of a sequence, see column 9, lines 25-42;

generating by the first processor an ensemble of information for each transaction containing data derived from at least the postage value for each transaction, see column 9, lines 25-42;

providing each ensemble to a selected one of the second processors, the selected second processor generating at least one of the data elements of a postage indicium from the ensemble, see column 10, lines 2-58.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 22, 23, 44, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al (4,802,218) in view of Pintsov (5,586,036).

As per Claim 22, 44.

Wright et al ('218) does not disclose the code includes a digital signature, Pintsov ('036) teaches electronic signatures as part of the data of the postage indicium, see column 11, lines 1-67 for authentication of a mailpiece in a postage system.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to include a digital signature in the postage indicium for the benefit of authentication of a mailpiece in a postage system.

As per Claim 23, 45.

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Wright et al ('218) does not disclose digital signature being derived from the subset of the data elements.

Pintsov ('036) teaches electronic signatures derived from a subset of the data elements, see column 11, lines 1-67 for authentication of a mailpiece in a postage system.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to derive a digital signature from a subset of the data elements for the benefit of authentication of a mailpiece in a postage system.

5. Claims 18, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al (4,802,218) in view of Official Notice.

As per Claim 18, 40.

Wright et al ('218) discloses limitations on the cards by the card issuer, such as maximum postage amount or class of postage for each transaction or cumulative total transactions, see column 10, lines 18-21, but does not disclose the number of selected transactions is a function of the number of second processors.

Official Notice is taken that if the manufacturer puts a cumulative total transaction limitation on each card that the number of transactions would, by definition be a function of the number of cards (second processors).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made that if the manufacturer puts a cumulative total transaction limitation on each card that the number of transactions would, by definition be a function of the number of cards (second processors).

#### ***Prior Art of Record***

6. The prior art of record:

1) Haruki et al (4,632,252) or Szewerenko et al disclose assigning tasks within a processing system to various units based on the operational demands of the system.

2) Kanehara (JP 11-27311 A) discloses the use of a number of different encryption devices, the inclusion of an indication of the encryption device used in the transmitted information and the selection of a decryption device based on information contained in the transmitted information.

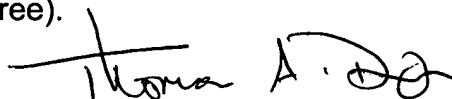
3) Cordery et al (6,073,125) discloses the selection of one of a number of authentication units based on the key used to produce the authentication information

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Thomas A. Dixon", with a stylized flourish at the end.

Thomas A. Dixon  
Primary Examiner  
Art Unit 3639

April 06